

MEETING

WEST VIRGINIA REAL ESTATE COMMISSION
300 CAPITOL STREET, SUITE 400
CHARLESTON, WEST VIRGINIA 25301

November 14, 2016

The Commission met in regular session November 14, 2016 at 300 Capitol Street, Charleston West Virginia. The following were in attendance:

Cheryl L. Dawson, Chairman
Kathryn L. Martin, Vice-Chairman
Kathy J. Zaferatos, Secretary
Joe L. Ellison, Commissioner
Densil L. Nibert, Commissioner
Debra L. Hamilton, Deputy Attorney General
Jerry A. Forren, Executive Director
Robert W. Rucker, Investigator
Nedka Dineva, Education Director

The minutes from the meeting held October 20, 2016 were approved, upon motion made by Commissioner Martin; second by Commissioner Ellison.

Commissioner Nibert moved to enter into executive session to consider matters described in WV Code 6-9A-4(b)(2)(A), (4), (6) and/or (7); second by Commissioner Zaferatos and passed.

Commissioner Martin moved to return to regular session; second by Commissioner Zaferatos and passed.

BROKER APPLICANTS

There were no Broker Applicants this month

APPLICANTS WITH CONVICTION OR DISCIPLINARY ACTION

Commissioner Zaferatos moved to approve the application for Broker license of James Ryan Verbage of Huntington, WV; second by Commissioner Martin and passed.

Commissioner Ellison moved to approve the application for salesperson license of Crystal Renee Allen of Charleston, WV; second by Commissioner Martin and passed.

Commissioner Nibert moved to approve the application for salesperson license of Jodi Lynn Costello Stephen's City, VA; second by Commissioner Zaferatos and passed.

Commissioner Martin moved to approve the application for salesperson license of Olley Brandon Strum of Morgantown, WV; second by Commissioner Ellison and passed. Chairman Dawson asked to be on record as voting not to approve.

COMPLAINTS

Relating to Complaint P-16-34, Commissioner Zaferatos moved to initiate a Commission-Initiated Complaint based on information obtained in the investigation of P-16-34; second by Commissioner Martin and passed. Based on the possible resolution of P-16-34, staff was given discretion regarding when and whether to serve the new Complaint.

Commissioner Zaferatos moved to take Complaint C-17-003 off the table; second by Commissioner Nibert and passed. Commissioner Martin then moved to find probable cause; second by Commissioner Ellison and passed. Commissioner Zaferatos then moved to initiate a Commission-Initiated Complaint based on information obtained in the investigation of P-17-003, which complaint will be consolidated with C-17-003; second by Commissioner Ellison and passed.

In regard to Complaint P-17-006, Commissioner Ellison moved to find no probable cause; second by Commissioner Nibert and passed.

In regard to Complaint P-17-007, Commissioner Dawson recused herself and was absent during the discussion. Commissioner Ellison moved to find no probable cause; second by Commissioner Zaferatos and passed.

REPORTS

Executive Director Report

Executive Director Forren presented his report and briefed Commissioners on the status of the on-line license renewal, database, website, social media presence, Commissioner's terms and document management system projects. Expense Report signatures for Executive Director Forren was also discussed. All Commission questions and comments were also addressed.

Budget/Financial

Executive Director Forren reviewed the year-to-date financials as budgeted. Commissioner Zaferatos moved to receive the Executive Director's Financial Report; second by Commissioner Martin and passed.

Settlement Report

Commission Counsel D.L. Hamilton briefed on the settlement of P-16-013 and C-16-029.

Education Report

Education Director Dineva and Executive Director Forren updated the Commissioners on progress of the On-line Examination System. We are moving forward with PSI Services, LLC and will be meeting with them in Charleston the first week of December.

Education Director Dineva then briefed Commissioners on the progress of the broker training courses via Blue Ridge and Bridge Valley Community Colleges. The new education outline for training will be put into effect December 1, 2016, and the current outline will no longer be used. The broker test based on that outline will continue for up to 5 years, will

be given quarterly, and will be administered at the Commission office in Charleston. No currently approved Broker pre-license education providers will be grandfathered.

Exam Results

Report on examinations given on October 11, 2016; the results by name may be obtained from the Commission's examination file:

Broker Examinations - 7

Number Passed - 1 Percentage Passed - 14%

Number Failed - 6 Percentage Failed - 86%

Salesperson Examinations - 38

Number Passed - 21 Percentage Passed - 55%

Number Failed - 17 Percentage Failed - 45%

Audit Report

There were 5 Audits conducted since the October 2016 meeting.

Personnel Matters

Commissioner Zaferatos moved to re-enter into executive session to discuss personnel matters (WV Code 6-9A-4(b)(2)(A)); second by Commissioner Nibert and passed.

Commissioner Martin moved to return to regular session; second by Commissioner Zaferatos and passed.

Due to a recent resignation, Executive Director Forren will post a position for a Licensing and Administration professional.

OLD & NEW BUSINESS

New Business - No agenda items

Old Business / Ongoing Projects

Executive Director Forren discussed the meeting with the PERD auditors and his response, which had been approved by the Chair and submitted. The response addressed each recommendation in the report. Other areas may be asked about when the report is presented to the Government Organization Committees during a future interim meeting of the Legislature.

POLICIES, PRACTICES AND POSSIBLE RULE CHANGES

The Commission's authority relating to sanctions was discussed.

TRAVEL AND PER DIEM EXPENSES

Per Diem payments were reported by the Commissioners as follows:

Cheryl L. Dawson	5 days
Kathryn L. Martin	2 days
Kathy J. Zaferatos	2 days
Joe L. Ellison	2 days
Densil L. Nibert	2 days

The next regular meeting of the Real Estate Commission is scheduled for Wednesday, December 14, 2016.

Commissioner Martin made a motion to adjourn; second by Commissioner Zaferatos and passed.

APPROVED: 12-14-16



Chairman



Secretary